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**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,	:	Case No. 2:20-cr-00191-APG-DJA
	:	
Plaintiff,	:	
	:	
v.	:	<b>STIPULATION TO</b>
	:	<b>CONTINUE MOTIONS</b>
	:	<b><u>DEADLINE</u></b>
ALLEN MILLER,	:	
	:	
Defendant.	:	

**IT IS HEREBY STIPULATED AND AGREED**, by and between Nicholas A. Trutanich, United States Attorney, and Bianca R. Pucci, Assistant United States Attorney, counsel for the United States of America (hereinafter “the Government”), and Nicholas Wooldridge, Wooldridge Law Ltd., counsel for Allen Miller (“the Defendant”) (collectively, “the Parties”), that the motion deadlines which were scheduled for September 13, 2020, be vacated and set to a date and time convenient for this court to align with the continued trial set for January 1, 2021, and calendar call set for December 29, 2020.

On September 1, 2020, the parties filed a stipulation to continue the trial and motion deadlines. ECF No. 35. However, the parties’ attached proposed order to that stipulation was incorrect as it failed to include an extension of the motion deadlines. The parties seek to correct

1 that mistake and asks this Court to continue the motions deadline from September 13, 2020, to a  
2 date convenient to the court that aligns with the trial currently set for January 1, 2021, and  
3 calendar call set for December 29, 2020. ECF No. 36.

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5 The Stipulation is entered into for the following reasons:

6 1. The additional time requested herein is not sought for purposes of delay, but to  
7 permit counsel for the defendant to continue review discovery and conduct investigation in  
8 this case in order to determine whether there are any issues that must be litigated and whether  
9 the case will ultimately go to trial or will be resolved through negotiations.

10  
11 2. The defendant is incarcerated and does not object to the continuance.

12 3. The parties agree to the continuance.

13 4. The additional time requested herein is not sought for purposes of delay, but  
14 merely to allow counsel for defendant sufficient time within which to be able to effectively,  
15 and complete investigation of the discovery materials provided.

16  
17 5. Denial of this request for continuance would waste limited judicial resources, and  
18 deny counsel for the defendant sufficient time to effectively represent the defendant.

19 6. Additionally, denial of this request for continuance could result in a miscarriage  
20 of justice. The additional time requested by this stipulation is excludable in computing the  
21 time within which the trial herein must commence pursuant to the Federal Rules of Criminal  
22 Procedure 5.1(d), the Speedy Trial Act, § 3161(h)(7)(A), considering the factors under Title  
23 18, United States Code §§ 3161(h)(7)(B).

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1           7.       This is a First Stipulation to Continue Motions Deadline filed herein.  
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3 DATED: September 15, 2020

4 WOOLDRIDGE LAW, LTD.

NICHOLAS A. TRUTANICH  
U.S. Attorney

5  
6 By /s/ Nicholas M. Wooldridge  
7 NICHOLAS M. WOOLDRIDGE  
Counsel for Defendant

By /s/ Bianca R. Pucci  
Bianca R. Pucci  
Assistant United States Attorney

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,

: Case No. 2:20-cr-00191-APG-DJA

Plaintiff,

V.

## **STIPULATION TO CONTINUE**

ALLEN MILLER,

Defendant.

## **FINDINGS OF FACT**

Based on the pending Stipulation of counsel, and good cause appearing therefore, the Court finds that:

1. Counsel for the defendant needs additional time to review discovery and conduct investigation in this case in order to determine whether there are any issues that must be litigated, and whether the case will ultimately go to trial or will be resolved through negotiations.

2. The defendant does not object to the continuance.

3. The parties agree to the continuance.

4. The additional time requested herein is not sought for purposes of delay.

Denial of this request for continuance would waste limited judicial resources, and deny counsel for the defendant sufficient time to effectively represent the defendant

5. Additionally, denial of this request for continuance could result in a miscarriage of justice. The additional time requested by this Stipulation is excusable in computing the time within which the trial herein must commence pursuant to the Federal Rules of Criminal Procedure 5.1(d), and the Speedy Trial Act, Title 18, United States Code, Section 3161(h)(7)(A), considering the factors under Title 18, United States Code, Section 3161(h)(7)(B)(i), (iv).

**CONCLUSIONS OF LAW**

The ends of justice served by granting said continuance outweigh the best interest of the public and the defendant in a speedy trial, since the failure to grant said continuance would be likely to result in a miscarriage of justice.

The continuance sought herein is excusable under the Federal Rules of Criminal Procedure 5.1(d), and the Speedy Trial Act, title 18, United States Code, Section § 3161 (h)(7)(A), when the considering the factors under Title 18, United States Code, § 3161(h)(7)(B)(i), (iv).

**ORDER**

**IT IS THEREFORE ORDERED** that the motions deadline is continued to November 6, 2020.

DATED this 18th day of September, 2020.

  
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UNITES STATES DISTRICT JUDGE